UNITED NATIONS

Daily Highlights

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TUESDAY HIGHLIGHTS

• Security Council establishes International Criminal Tribunal for Rwanda to try persons responsible for genocide and other serious violations of international humanitarian law; resolution adopted by 13 votes in favour to one against (Rwanda), with one abstention (China).

• Secretary-General discusses deteriorating situation in Rwanda with senior United Nations official in Geneva; dispatch of security force to refugee camps and convening of regional conference among options under consideration.

• General Committee decides to include issue of capital punishment in agenda of current General Assembly session; item to be allocated to Social, Humanitarian and Cultural Committee.

• In report to Security Council, Secretary-General says it is not yet possible to set date for Western Sahara referendum; notes slow progress in process of identifying voters.

• Board of Auditors should investigate large peace-keeping operations whose expenditures exceed annual regular budget of United Nations, speakers tell Administrative and Budgetary Committee.

• Kuwait says recent threats and military movements confirm Iraqi regime's non-peaceful intentions towards it and rest of region; stresses that Iraq must follow through on declaration of intent to recognize its sovereignty and borders.

• With 28 per cent of polling stations reporting, FRELIMO leads RENAMO in Mozambican vote count.

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Acting under Chapter VII of the United Nations Charter, the Security Council today established the International Criminal Tribunal for Rwanda. The Tribunal will prosecute persons responsible for genocide and other serious violations of international humanitarian law committed in Rwanda, and Rwandan

citizens responsible for such crimes in neighbouring countries, between 1 January and 31 December 1994. The Council took that action by adopting resolution 955 (1994) by 13 votes in favour to one against (Rwanda), with one abstention (China). The Statute of the Tribunal was contained in an annex to the resolution.

The Council said that all States should cooperate fully with the International Tribunal and its organs, and that they should take any measures necessary under their domestic law to implement resolution 955 (1994) and the Statute. It requested the Secretary-General to implement the resolution urgently, and in particular to make practical arrangements for the Tribunal's effective functioning, including recommendations as to possible locations for its seat. The Council said that it would determine the seat having regard to considerations of justice and fairness as well as administrative efficiency, including economy and access to witnesses, and subject to the conclusion of appropriate arrangements between the United Nations and the State of the seat.

The Council went on to say that the International Tribunal might meet away from its seat when it considered it necessary for the efficient exercise of its functions. The Council decided that an office would be established and proceedings conducted in Rwanda, where feasible and appropriate, subject to the conclusion of appropriate arrangements.

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Secretary-General Boutros Boutros-Ghali today met with senior United Nations officials in Geneva to discuss the situation in Rwanda and its effects on neighbouring countries. He later told correspondents that the situation was deteriorating and that the meeting had focused on interconnected problems related to security in the refugee camps; the return of refugees; technical assistance to the Government; reconstruction and rehabilitation of the country; and coordination between different agencies and programmes.

The Secretary-General said that he would meet with major donor countries after returning to New York on Wednesday, and that he would subsequently present certain options to the Security Council. Among the options under consideration were the dispatch of a police force or rapid deployment force to the refugee camps, and the convening of a regional conference to discuss the situation. He stressed that Rwanda's problems could not be solved without massive support from donor countries.

Participating in today's meeting were the United Nations High Commissioner for Human Rights, José Ayala Lasso; the Military Adviser for Peace-keeping Operations, Major-General Maurice Baril; the Executive Director of the World Food Programme (WFP), Catherine Bertini; the United Nations Legal Adviser, Hans Corell; Ambassador Robert Dillon; the Under-Secretary-General for Political Affairs, Marrack Goulding; the Under-Secretary-General for Humanitarian Affairs, Peter Hansen; the Special Representative for Rwanda, Shahryar Khan; Special Adviser Ismat Kittani; the United Nations High

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Commissioner for Refugees (UNHCR), Sadako Ogata; the Special Representative for Burundi, Ahmedou Ould Abdallah; and a representative of the United Nations Children's Fund (UNICEF).

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The General Committee last night decided by consensus that an additional item entitled "Capital Punishment" should be included in the agenda of the current session of the General Assembly. It further decided that it be allocated to the Third Committee (Social, Humanitarian and Cultural) under an agenda item on human rights questions. That proposal was approved by 17 votes in favour to none against, with three abstentions.

A request for the inclusion of the item in the Assembly's agenda was made in a note to the Secretary-General by 26 States. In an explanatory memorandum, they stated that the question of capital punishment had become particularly urgent in recent times, in view of the continuing high number of death sentences and executions in various parts of the world. Annexed to the memorandum was a draft resolution by which the Assembly would encourage all Member States to consider introducing legislation which would lead to the abolition of the death penalty, thus promoting full respect for the right to life.

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It will be many months before a date can be determined for the referendum in Western Sahara and the revised timetable for the steps still to be taken to implement the settlement plan, according to the Secretary-General. In a report to the Security Council dated 5 November, he said more progress was needed in the process of identifying potential voters. Only a small proportion of applications had been dealt with since identification and registration started on 28 August. The operation had greatly increased in scale as a result of a last-minute flood of applications, and was far more logistically complex than had been expected.

The Secretary-General said he would report to the Security Council on the organization and timing of the referendum after his visit to the area later this month. In the meantime, he would dispatch a technical team to reassess logistical and other requirements for the possible deployment of the United Nations Mission for the Referendum in Western Sahara (MINURSO) at full strength. He proposed to maintain the Mission's existing military and civilian strength until his next report to the Council.

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The United Nations Board of Auditors should investigate large peace-keeping operations such as the United Nations Protection Force (UNPROFOR) whose expenditures exceeded the Organization's annual regular budget, the representative of Germany told the Fifth Committee (Administrative and Budgetary) today. Speaking also on behalf of the European Union and Austria, he said he shared the view of the Advisory Committee on

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Administrative and Budgetary Questions (ACABQ) that some of the larger operations might have to be dealt with separately in future.

Speaking on the review of the Organization's efficiency, the representative of Benin said the restructuring of the Secretariat should ensure that programmes for the development of Africa were adequately funded. The Department of Public Information (DPI) should help counter "Afro-pessimism" by providing balanced coverage of developments in the continent.

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Recent threats and movements of military forces by Iraq confirm its non-peaceful intentions towards Kuwait and the rest of the region, the Permanent Representative of Kuwait has said in a letter to the Security Council dated 4 November. He added that those actions undermined any trust the international community might have in Iraq, and placed a question mark over claims that it wished to continue to cooperate in the implementation of Council resolutions.

The joint communiqué issued by the Russian Federation and Iraq on 13 October, in which Iraq affirmed its readiness to resolve in a positive manner the issue of recognizing Kuwait's sovereignty and boundaries, was a declaration of intent, not a legal or political commitment, he continued. It would remain a declaration of intent if not followed by specific measures by the highest constitutional authorities in Iraq.

He went on to say that all of the relevant Security Council resolutions should be regarded as a means to an end: to ensure full respect for Kuwait's independence, sovereignty, territorial integrity and international boundaries; to secure the return of prisoners and detainees; and to guarantee the establishment of peace, security and stability in the region. That end would be difficult to achieve without peaceful intentions, in word or deed, on the part of the Iraqi regime.

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With some 28 per cent of the 7,500 polling stations in the recent Mozambican elections reporting, the Mozambique Liberation Front (FRELIMO) has 52 per cent of the vote, while the Mozambique National Resistance Movement (RENAMO) has 30 per cent, a United Nations spokesman said today. Smaller parties account for the balance.

Meanwhile, President Joaquim Chissano has 62 per cent of the vote in the presidential election, while RENAMO's Afonso Dhlakama has 27 per cent, the spokesman continued. He stressed that those results were partial, and that the final results would not be available until 12 or 13 November.

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